

**LIBELED:** 6-19-59, Dist. Minn.

**CHARGE:** 502(a)—when shipped, the labeling accompanying the article contained false and misleading representations that the article was an adequate and effective treatment for repositioning the entire body, relieving many daily tensions, correcting posture, stimulating circulation, tightening and toning muscle tissues, removing excess fatty tissue, and reducing and slenderizing; and 502(f) (1)—while held for sale, the labeling failed to bear adequate directions for use for the purposes for which it was intended, namely, the treatment of bursitis, rheumatism, arthritis, rheumatic fever, slipped disc, and high blood pressure, which were the conditions and purposes for which the article was offered in oral statements by the sales representative, Mrs. Mary E. Shaffer.

**DISPOSITION:** On 7-1-59, the case was removed to the Southern District of Texas. On 5-19-61, A.R.A. Manufacturing Co., claimant, having consented, the court entered a decree of condemnation and destruction and the objectionable literature was destroyed.

**6932. Violet ray generator device.** (F.D.C. No. 45940. S. No. 20-531 R.)

**QUANTITY:** 14 devices at Sandusky, Ohio, in possession of New Life, Inc.

**SHIPPED:** 1-23-61, from Ferndale, Mich., by Renulife Electric Co.

**LABEL IN PART:** "Renulife Violet Ray Generator Made \* \* \* by Renulife Elec. Co., Ferndale, Mich. No. 258 (or other numbers) Model No. 2."

**ACCOMPANYING LABELING:** Leaflets entitled "Instructions for Operating Renulife Violet Ray Health Generators" and "Health your most priceless asset."

**RESULTS OF INVESTIGATION:** The literature indicated the device to be a black grain leatherette case,  $4\frac{1}{2}'' \times 10\frac{1}{2}'' \times 11\frac{1}{2}''$ , containing a control panel, three electrodes, and a plastic tubular-shaped applicator connected to the control panel by an electric cord. The three electrodes, made of metal and glass, were in the shape of a tube, bulb, and rake, which plug into the ends of the applicator. The electronic circuiting was probably a tesla coil.

The leaflet entitled "Health your most precious asset" was printed locally.

**LIBELED:** 6-7-61, N. Dist. Ohio.

**CHARGE:** 502(a)—while held for sale, the labeling accompanying the article contained false and misleading representations that the article was adequate and effective as a treatment for relieving arthritis, bursitis, dandruff, eczema, rheumatism, acne, nervous conditions, neuralgia, neuritis, sciatica, and poor circulation; and that the article functioned to aid nature in performing various bodily responsibilities; and 502(f) (1)—when shipped, its labeling failed to bear adequate directions for use in that the labeling failed to state the diseases and conditions for which the article was intended.

**DISPOSITION:** On 7-5-61, New Life, Inc., claimant, filed an answer denying that the article was misbranded. Thereafter, on 11-14-61, the claimant having consented, the court entered a decree of condemnation and the article was delivered to the Food and Drug Administration.

**6933. Vacuum cleaning device.** (F.D.C. No. 46429. S. No. 2-042 R.)

**QUANTITY:** 51 devices at Atlanta, Ga.

**SHIPPED:** Between 8-1-58 and 8-28-61, from Syracuse, N.Y.

**RESULTS OF INVESTIGATION:** Examination indicated that the article was a canister-type vacuum cleaner equipped with various attachments, including a water reservoir.

**LIBELED:** 8-30-61, N. Dist. Ga.

**CHARGE:** 502(f) (1)—while held for sale, the labeling of the article failed to bear adequate directions for use for the prevention of infectious and parasitic diseases such as tuberculosis, meningitis, influenza, tonsillitis, erysipelas, and osteomyelitis, cancer, colds, and infections due to staphylococcus and streptococcus germs which were the diseases, conditions, and purposes for which the article was offered in oral statements made by Bill Hammond, salesman for Rexair Advertising of Atlanta, Inc., on or about July 27, 1961, at Decatur, Ga., in the presence of a Food and Drug Administration inspector.

**DISPOSITION:** On 11-27-61, Rexair Advertising of Atlanta, Inc., claimant, filed an intervention and claim to the article denying the allegations of misbranding of the libel and, without admitting that the article was misbranded while held for sale after shipment in interstate commerce, or was held illegally within the jurisdiction of the court, consented to the entry of a decree of condemnation, a decree of injunction, and a decree permitting the repossession and disposition of the article by the claimant under Government supervision.

On 12-6-61, a consent decree of condemnation and injunction was entered which permitted the repossession and bringing of the article into compliance with the law. The decree further enjoined the claimant and its officers, agents, employees, representatives, and all or any other person in active concert or participate with it or any of them from doing the following acts:

(a) Introducing into interstate commerce any "Rexair" cleaning device, any vacuum cleaning machine, or any other cleaning device, which is represented to be useful in the diagnosis, cure, mitigation, or prevention of infectious and parasitic diseases, tuberculosis, meningitis, influenza, tonsillitis, erysipelas, osteomyelitis, cancer, colds, staphylococcus and streptococcus infections, or any other disease or abnormal health condition of man;

(b) Doing any act with respect to the "Rexair" cleaning device, any vacuum cleaning machine or any other cleaning device, while such article is held for sale after shipment in interstate commerce, which will result directly or indirectly in said article being represented to be useful in the diagnosis, cure, mitigation, treatment, or prevention of infectious and parasitic diseases, tuberculosis, meningitis, influenza, tonsillitis, erysipelas, osteomyelitis, cancer, colds, staphylococcus and streptococcus infections, or any other disease or abnormal health condition of man.

### **DRUGS AND DEVICE ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS**

#### **DRUGS AND DEVICE FOR HUMAN USE\***

**6934. Liver-folic acid.** (F.D.C. No. 46867. S. No. 31-394 T.)

**QUANTITY:** 10 individually ctnd. 10-cc. vials at Temple City, Calif.

**SHIPPED:** 10-1-61, from Philadelphia, Pa.

**LABEL IN PART:** (Vial and ctn.) "10 cc Multiple-Dose Vial Liver-Folic Acid Vitamin B-12 60 mcgm. (Crystalline) Folic Acid 5 mg. Lot No. 1469."

\*See also No. 6907.